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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 302

01/22/2015 Authored by Fabian, Winkler, Zerwas, Drazkowski, Green and others

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy

1.1 A bill for an act
1.2 relating to game and fish; allowing scopes on muzzleloaders; amending
1.3 Minnesota Statutes 2014, section 97B.031, subdivision 5.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 97B.031, subdivision 5, is amended to read:

1.6 Subd. 5. **Scopes; ~~visually impaired hunters on muzzleloaders.~~** (a)

1.7 ~~Notwithstanding any other law to the contrary, the commissioner may issue a special~~
1.8 ~~permit, without a fee, to A person may use a muzzleloader with a scope to take deer~~
1.9 ~~during the muzzleloader season to a person who obtains the required licenses and who has~~
1.10 ~~a visual impairment. The scope may not have magnification capabilities.~~

1.11 ~~(b) The visual impairment must be to the extent that the applicant is unable~~
1.12 ~~to identify targets and the rifle sights at the same time without a scope. The visual~~
1.13 ~~impairment and specific conditions must be established by medical evidence verified in~~
1.14 ~~writing by (1) a licensed physician or a certified nurse practitioner or certified physician~~
1.15 ~~assistant acting under the direction of a licensed physician; (2) a licensed ophthalmologist;~~
1.16 ~~or (3) a licensed optometrist. The commissioner may request additional information from~~
1.17 ~~the physician if needed to verify the applicant's eligibility for the permit.~~

1.18 ~~(c) A permit issued under this subdivision may be valid for up to five years, based~~
1.19 ~~on the permanence of the visual impairment as determined by the licensed physician,~~
1.20 ~~ophthalmologist, or optometrist.~~

1.21 ~~(d) The permit must be in the immediate possession of the permittee when hunting~~
1.22 ~~under the special permit.~~

1.23 ~~(e) The commissioner may deny, modify, suspend, or revoke a permit issued under~~
1.24 ~~this subdivision for cause, including a violation of the game and fish laws or rules.~~

2.1 ~~(f) A person who knowingly makes a false application or assists another in making~~
2.2 ~~a false application for a permit under this subdivision is guilty of a misdemeanor. A~~
2.3 ~~physician, certified nurse practitioner, certified physician assistant, ophthalmologist, or~~
2.4 ~~optometrist who fraudulently certifies to the commissioner that a person is visually~~
2.5 ~~impaired as described in this subdivision is guilty of a misdemeanor.~~

2.6 ~~(g) A permit is not required under this subdivision to use an electronic range finder~~
2.7 ~~according to section 97B.081, subdivision 3, paragraph (c).~~